

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KATHERINE ALICE MCAVOY,

Plaintiff,

v.

ANDREW M. SAUL,

Defendant.

Case No. 21-cv-01207-JST

**ORDER EXTENDING DEADLINE TO  
SERVE COMPLAINT**

This case was filed on February 19, 2021. As of the date of this order, the docket reflects no evidence that the summons and complaint have been served on the defendant.

Rule 4(m) of the Federal Rules of Civil Procedure provides, in relevant part:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m).

144 days have now passed since the filing of the complaint. Plaintiff is therefore **ORDERED TO SHOW CAUSE** why this case should not be dismissed for failure to serve. A written response to this order is due by July 27, 2021. The Court will conduct a hearing on the order to show cause on September 2, 2021 at 9:30 a.m.

If Plaintiff's written response to the order to show cause is accompanied by satisfactory evidence that the summons and complaint have been served, the order to show cause will be

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withdrawn and the September 2 hearing will be converted to a case management conference.

**IT IS SO ORDERED.**

Dated: July 13, 2021

  
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JON S. TIGAR  
United States District Judge